

ARCHIVED Policy on PGR Academic Misconduct v1.1

Policy on PGR Academic Misconduct	1
1. Scope	1
2. The forms of assessment misconduct dealt with by this policy	2
3. General principles	3
Standard of proof	3
Responsibility of the PGR	3
Sufficient acknowledgement of sources	3
Improving of assessed work by third parties prior to submission	3
Academic judgement in relation to PGR assessment misconduct	4
Decisions that involve academic judgement	4
Decisions that do not normally require academic judgement	4
Exceptional Circumstances	4
Failure to detect academic misconduct in the past	4
PGR Assessment Misconduct Investigation Panels (PGR AMIPs)	5
4. The Assessment Misconduct procedures	5
Possible action following the submission of a PGR statement to, or interview with, the investigatory panel	8
5. PGR Academic Misconduct Penalties	8
6. Composition, responsibilities and procedures relating to PGR AMIPs	10
7. Appeals and case reviews	11
8. Where academic misconduct is alleged but not proven	11
9. Academic misconduct alleged after the examination has taken place	11

This policy forms part of and should be read alongside The Policy on Research Degrees.

1. Scope

- 1.1. PGRs are expected to maintain a high standard of academic and research integrity at all times. Allegations of academic and research misconduct by PGRs can arise in various ways, and are dealt with by different policies.
- 1.2. **This policy applies to allegations of academic misconduct by a PGR in any formal assessment in their programme**, including, but not limited to, formal reviews of progress, the thesis and the oral examination (but excluding academic misconduct in credit-bearing taught modules). No decision about the PGR's progression or the outcome of the examination may be made until the investigation has been concluded.
- 1.3. PGR programmes contain many elements that are mandated or expected but not formally assessed (for example, preparing work for supervisory and TAP meetings, participating in group activities (e.g. critiquing other PGRs' work), developing a PDP, and presenting posters or papers at department seminars or conferences). Allegations of academic misconduct in such activities (assuming that they are not considered research misconduct) may be investigated under this policy and dealt with as probationary offences (i.e. via informal warning and training).

- 1.4. Allegations of misconduct by a PGR in credit-bearing taught modules that form part of their PGR programme will be dealt with according to the Academic Misconduct Policy, with a report being made to the Progression Panel (where applicable). Note that disciplinary academic misconduct offences in a taught component are dealt with under Regulation 7: Student Discipline via the Academic Misconduct Disciplinary Procedure.
- 1.5. Allegations of research misconduct by a PGR, (including, but not limited to, ethics approvals, data management and dissemination), even if identified in a formal assessment and whether or not it is published or otherwise disseminated, will be dealt with according to the Policy for the Investigation of an Allegation of Research Misconduct. Where there is doubt as to whether the PGR Assessment Misconduct Policy or the Policy for the Investigation of an Allegation of Research Misconduct should apply, the latter policy takes precedence. Serious research misconduct can result in the termination of the PGR's enrolment at the University. Where a member of staff is also a PGR and their employment is research related, the staffing elements of the Research Misconduct policy take precedence. Where research misconduct is alleged during the assessment process but is investigated under the Policy for the Investigation of an Allegation of Research Misconduct, then no decision about the PGR's progression or the outcome of the examination may be made until the investigation has been concluded.
- 1.6. Allegations of misconduct regarding a PGR aiding or abetting a student at the University of York or elsewhere to commit academic misconduct are dealt with under Regulation 7: Student Discipline via the Academic Misconduct Disciplinary Procedure.
- 1.7. Allegations of academic misconduct by a York PGR committed at a partner institution or organisation (e.g. in a cross-institutional consortium or when enrolled on a joint or double PhD) should normally be investigated under this policy. The outcomes may be shared with the partner where appropriate.

2. The forms of assessment misconduct dealt with by this policy

- 2.1. The University is committed to developing high standards of academic practice among its staff and PGRs, and to safeguarding the standards of its academic awards to individuals. The University regards any form of academic misconduct as an extremely serious matter.
- 2.2. In order to be confident about the standards of academic awards it is essential that work submitted for assessment is a fair reflection of the abilities of the PGR having used legitimate resources and forms of support in the production of that work. The definitions listed below seek to make the boundaries between authorised and unauthorised support clear and include the inappropriate use of generative AI.
 - **Plagiarism** – the presentation of ideas, material, or scholarship sourced from the work of another individual or group available in a public or private source without sufficient acknowledgement via appropriate referencing and citation.
 - **Cheating** – failure to comply with the rules of a closed/oral examination e.g. unauthorised access to materials or support in a closed/oral examination, or personation.
 - **False Authorship** - the production or adaptation of academic work (for example writing, computer code, images, data), in whole or part, whether or not a payment or other favour is involved, using unapproved, undeclared or falsely declared human (eg family members, friends, essay mills or other PGRs/students not taking the same assessment) or technological assistance (eg generative AI or software).
 - **Fabrication** – incorporating falsified or fabricated material or data in academic work.
 - **Unacknowledged resubmission** – the submission of work that has already been submitted, in whole or in part, for the award of a degree or other qualification at this or any other university without proper acknowledgement of the work and any award which was granted for it.

3. General principles

Standard of proof

- 3.1. It is sufficient to establish cases of academic misconduct 'on the balance of probabilities', rather than 'beyond all reasonable doubt'. This means that the panel needs only believe that it is likely that misconduct occurred, rather than the process requiring that the evidence be indisputable that misconduct has occurred. Decisions must be supported by a rationale and, importantly, evidence which are both clearly explained to the PGR. The burden lies on the University to show, on the balance of probabilities, that the acts constituting the alleged academic misconduct occurred.
- 3.2. In the case of mitigation of penalties (section 5) the burden of proof will be on PGRs to prove their judgement was affected if they wish this to be taken into account in consideration of the appropriate penalty.

Responsibility of the PGR

- 3.3. The PGR shall be considered responsible for the academic integrity of all work they submit for assessment. If insufficiently acknowledged material is discovered by examiners, the question of whether the PGR has behaved (or intended to behave) dishonestly or unethically must not be a factor in the decision to report the case to the relevant assessment officer or not. Expressions of guilt, remorse or lack of intent are neither to be accepted as justifications for any alleged misconduct nor taken into consideration when determining the penalty where such misconduct is established.

Sufficient acknowledgement of sources

- 3.4. The aim in all assessed work should be for the PGR to make the clear distinction between their own ideas and those drawn from other sources. The University expects all scholars to be able to paraphrase source material with appropriate citations, include page references in the citations appropriately where material is quoted directly, present secondary citations in a way that makes clear the extent of their own scholarship, present data accurately, produce an accurate reference list and consistently follow the referencing system mandated by their department(s), or editors of journals and/or commissioners of other academic outputs.
- 3.5. Where an examiner (or other assessor) is concerned about possible plagiarism in a thesis (or other document submitted for assessment), they may require that the thesis (or other document) is submitted to text-matching software (such as Turnitin). In the case of the final examination, this task should be undertaken by the internal examiner and the report shared with the external examiner.
- 3.6. The extent to which PGRs deviate from this expectation should be reflected in the panel's judgement about the work.

Improving of assessed work by third parties prior to submission

- 3.7. The aim of assessment is to establish the level of understanding, skills and performance of the individual PGR enrolled on the programme. While third parties may comment and offer feedback on draft material, they should not make changes on the PGR's behalf to work which is to be submitted for assessment, other than standard proofreading. PGRs must abide by the Policy on Transparency of Authorship in PGR Programmes.

Academic judgement in relation to PGR assessment misconduct

- 3.8. For PGRs, the consideration of any alleged academic misconduct takes place prior to the examination process for that assessment (see Section 4). A PGR Academic Misconduct Investigatory Panel (AMIP) considers the evidence and comes to a conclusion about the nature and extent of the misconduct and makes a decision on the resulting penalty. If it is deemed appropriate to continue to the examination stage, then the AMIP will make a report on its findings to the examiners, if misconduct was identified.
- 3.9. Some aspects of this process will involve “academic judgement” which is defined as “a judgement that is made about a matter where the opinion of an academic expert is essential” (OIAHE glossary, 2019). Decisions made solely on the basis of academic judgement are not open to appeal (Regulation 2.8.1(b)). In considering academic misconduct cases, the AMIP members are chosen so that there is academic expertise to make decisions that may involve academic judgement.

Decisions that involve academic judgement

- 3.10. When the AMIP scrutinises assessed work as part of an academic misconduct investigation, they will seek to evaluate the evidence for misconduct in that piece of work and determine, on the balance of probabilities, whether an offence has been committed and the nature of that offence. They will also determine the extent of the academic misconduct - e.g. the extent to which the PGR misrepresented the work as their own. These decisions involve the exercise of academic judgement.

Decisions that do not normally require academic judgement

- 3.11. Once the panel have determined the nature and extent of the academic misconduct under step 1, they should apply the corresponding penalty set out on the penalty table in Section 5 of this policy, as modified where necessary for any mitigating factors as set out in Section 5. Once the level of misconduct has been established, the corresponding penalty that should be applied and any mitigation to be considered, would not normally involve academic judgement. Establishing matters of fact, based on evidence, (e.g. establishing whether or not there has been a breach of assessment rules) do not normally involve academic judgement.

Exceptional Circumstances

- 3.12. Where academic misconduct is alleged or suspected, a PGR may not use exceptional circumstances – as defined by the University’s Exceptional Circumstances Affecting Assessment Policy – as a defence. The only exceptions are cases where, in the professional opinion of an appropriate professional, the PGR’s condition at the time of the offence was such that they were unable to differentiate between right and wrong in relation to their actions. Where the condition is longstanding, it can only be used as a defence where adjustments have not been made through no fault of the PGR. An investigation panel should not infer the inability to differentiate between right and wrong from a more general diagnosis of mental health issues; the professional evidence presented to the panel must specifically address this question in relation to the PGR’s psychological state at the time of the alleged offence.
- 3.13. For consideration of personal circumstances as a mitigation for the applied penalty, see Section 5.

Failure to detect academic misconduct in the past

- 3.14. Where academic misconduct is alleged or suspected, a PGR may not use as a defence the failure of any member of academic staff to detect academic misconduct at an earlier point in time in their studies.
- 3.15. When a suspicion is raised about a piece of work submitted for a given assessment, departments **may** examine work submitted for a previous assessment in order to gather evidence relevant to the alleged misconduct they are investigating. However, the previous work cannot be referred for investigation under this policy. Departments may also review previous work under the Research Misconduct policy.

PGR Assessment Misconduct Investigation Panels (PGR AMIPs)

- 3.16. One of the overarching aims of the PGR Assessment Misconduct Policy is to ensure consistency of decision-making and judgements across academic departments and units in relation to the handling of academic misconduct cases. The PGR Assessment Misconduct Investigation Panels (PGR AMIPs) are the mechanism by which the University ensures that Assessment Misconduct procedures reflect the assessment principles of consistency, clarity, transparency and equity.
- 3.17. When a case of academic misconduct requires investigation by a PGR AMIP, the panel will be formed and will be chaired by the relevant PGR Faculty Lead. The panel will comprise the PGR Faculty Lead, the Graduate Chair from the PGR's department and one other Graduate Chair from the same faculty. All members of the panel should be independent of the PGR: no individual should serve on a PGR AMIP if they are supervisor, TAP member, Progression Panel member or internal examiner of the PGR being investigated or there is another conflict of interest. If anyone is disqualified from membership due to lack of independence from the PGR or is unavailable in a reasonable timeframe, then an alternative PGR Faculty Lead (or the Dean of YGRS) or an alternative to the departmental or faculty Graduate Chair (in the form of another academic member of staff of similar standing with relevant PGR experience) can be substituted.

4. The Assessment Misconduct procedures

These procedures should be followed for PGRs on all programmes.

4.1. *Initiating procedures*

Allegations of academic misconduct may be made by a PGR's supervisor, examiners or other assessors, or other individuals. Allegations of academic misconduct made anonymously may be considered if SCA concludes that there are sufficient grounds to believe that the allegation has merit and is not frivolous, vexatious or malicious. SCA may appoint one or more individuals (e.g. the programme leader, Graduate Chair) to provide investigatory support to those undertaking an initial review of an academic misconduct allegation. SEE should be informed of any allegations of academic misconduct so that progression or examination proceedings can be paused whilst the allegation is investigated.

4.2. *Initiating procedures in respect of plagiarism:*

Where the examiner(s) or other assessors believe that the assessed work contains evidence of plagiarism (i.e. the insufficient acknowledgement of sources) they must come to a decision about whether this should be referred to a PGR AMIP, using the following as guidance:

- (a) Where there is the occasional referencing error (i.e. where the same minor error is not frequently repeated or a pattern of mistakes cannot be seen), the assessor notes this in the feedback and is specific about the error. Work matching this description

need not be referred to a PGR AMIP. Where such errors occur in a thesis submitted for examination, they should be corrected before the final deposit.

- (b) Where there is evidence of more widespread or systematic misunderstanding, or of badly executed paraphrasing or acknowledgement of sources, or of another misconduct offence then the assessor(s) should report this together with evidence of the errors/misrepresentation that is causing concern. Details should be sent by the Graduate Chair to the SCA Secretary. The information provided must include the PGR's name, number, and programme of study, and the PGR's previous record in relation to academic misconduct. The assessors must provide a statement indicating the reasons for their suspicion, and evidence of the suspicious nature of the assessment (potentially including a text-matching software report, or annotated copy of the work). This statement should indicate specific pages, paragraphs or phrases which are raising concern, rather than simply being an indication of duplicated text, and should include enough detail to allow the panel to investigate without specialist knowledge of the specific research topic. The SCA Secretary will inform the Dean of the YGRS, and will convene a panel as above. The PGR AMIP will normally be assigned within 5 working days of the initial report.

4.3. ***Initiating the procedures in respect of cheating:***

Where the assessment involves some form of closed or oral examination (other than the examination of a taught component which would be covered as per section 1 of this Appendix), and the assessors have identified a suspected case of cheating, any unauthorised material must be removed, and a full report sent by the Graduate Chair to the SCA Secretary. The information provided must include the PGR's name, number, and programme of study, and the PGR's previous record in relation to academic misconduct. The SCA Secretary will inform the Dean of the YGRS, and will convene a panel as above. The PGR AMIP will normally be assigned within 5 working days of the initial report.

4.4. ***Initiating the procedures in respect of false authorship :***

Where the assessor(s) believes that the assessed work contains evidence of ***false authorship*** (i.e. that a third party has either written or significantly contributed to a PGR's submission) they must provide a statement of suspicion of ***false authorship*** including references to specific pages, paragraphs or phrases which are raising concern and should include enough detail to allow the panel to investigate without specialist knowledge of the specific research topic. The Graduate Chair should send the statement to the SCA Secretary. In cases of suspected ***false authorship***, the PGR AMIP should consider the evidence provided in the statement of suspicion of ***false authorship*** and any previous work submitted by the PGR for a comparison. The panel has further powers to request a compulsory interview with the PGR and to receive preparatory documents for the work under suspicion, for example, notes and drafts where available. Lack of preparatory work may be considered evidence of ***false authorship***.

Documenting and considering evidence of false authorship

As with plagiarism, the identification of false authorship starts with an academic judgement. One of the difficulties of identifying this offence is that it will require solid evidence that an act of ***false authorship*** has taken place. While at first the suspicion may appear as a gut feeling, the examiner must provide specific evidence of their suspicion of false authorship. This may include a combination of the following features:

- **Identifiable markers:** In certain cases the PGR may not remove features which identify another author in the assignment, such as the name of a company.
- **Document properties:** Check properties of the document/file for any unusual names, dates, editing times.

- **Level of assignment:** A suspiciously good piece of work which stands out from previous work submitted by the PGR.
- **Language level:** High level of English language usage in writing which stands out from previous work.
- **Unusual/inappropriate references:** Reference to texts which have not been previously discussed with the supervisor(s) or research group, or are unrelated/inappropriate to the work.
- **Omission of core texts or methods:** The omission of core texts or methods from the work which have been previously discussed with the supervisor(s) or research group.
- **Off topic:** Some or all of the work may seem off topic and include references to a wide range of unrelated works which are tenuously linked to the research question.
- **Unusual referencing style or formatting:** Use of the wrong referencing style or unusual formatting of the work.
- **Turnitin Originality Check:** Turnitin originality check does not help in identifying assignments which contain *false authorship*.
- **AI detection software:** AI detection software may not accurately detect false authorship. Please contact SCA@york.ac.uk for the latest guidance on AI detection and do not run PGR work through freely available AI detectors online.

Consideration by the PGR Assessment Misconduct Panel

- 4.5. Each case follows a 2-stage process: an initial consideration, which decides whether there is a case to answer; if appropriate, this is followed by a full investigation, including interaction with the PGR involved.
- 4.6. A PGR AMIP may meet virtually if they prefer and should consider the case in question against their experience of other judgements made in the past by such panels in order to ensure consistency and to try to eliminate risk of bias. The PGR AMIP can consult the SCA Secretary to advise them on any process issues. The SCA Secretary must be copied into all relevant electronic correspondence between members of the investigatory panel and provided with minutes of all meetings.
- 4.7. The PGR AMIP should be convened as quickly as possible so as not to delay unnecessarily the progression or examination process. In the event that one of the members of the panel becomes unavailable to consider a case, the Chair of the panel should inform the SCA Secretary as soon as possible to allow a replacement to be assigned.
- 4.8. On the basis of their initial consideration, the PGR AMIP makes a judgement as to whether the evidence presented suggests that a full investigation would be appropriate.
 - a) The panel may determine that the evidence does not warrant further investigation. Nonetheless, if the work suffers from poor practice in attribution, a response is given to the marker, with a possible recommendation that the PGR should be advised to improve this aspect of their work. The PGR should be informed of this decision. Cases where a full investigation is not held will not count as formal cases of academic misconduct against the PGR's record.
 - b) If it is believed that the case warrants a full investigation, then the Chair of the panel informs the PGR that academic misconduct is suspected, provides the full details of the process followed, provides the full evidence that will be considered by the panel and identifies the offence which is suspected. The PGR can then respond to the panel within 7 working days. The panel will not use any material to make its judgement unless the PGR has had sight of it in advance and the opportunity to respond. The PGR should be provided with any new evidence which the panel considers. The PGR(s) should also be encouraged to seek advice from supervisors and the students' union (SU). The PGR can, in response, submit a written

- statement or request an interview with the PGR AMIP (PGRs should be made aware that there is no inherent benefit to an interview).
- c) The panel should also obtain a statement from the supervisor, giving the context for the submitted work along with details of any advice given or other relevant background information.
 - d) In the event that the PGR elects to attend an interview, or that the panel determines that an interview is the most appropriate way to determine the nature of the offence, the Chair of the panel must ensure that the PGR is afforded sufficient time (normally 7 working days, counting from the final date on which the PGR could respond to the panel's allegation as set out in (b) above) before the interview to seek advice or to arrange to be accompanied. PGRs have the same right to be accompanied at a PGR AMIP interview as they do for an academic appeal case review: see the [Academic Appeals](#) procedure for details. A PGR may be accompanied by any member of the university and exceptions may be made for non-university accompaniment at the discretion of the Chair of the PGR AMIP. The PGR must notify the Chair in advance if they intend to bring a representative from outside the university. It is recommended that PGRs contact SU for advice and support, and who may accompany them to the case review. Any interview must include at least two members of the panel, including the Chair, and the third member should be consulted before any decision is made.
 - e) Where it is the panel, rather than the PGR, which determines that an interview is required, all reasonable means should be taken to inform the PGR, and the PGR should be asked to acknowledge receipt of this information prior to the date of the interview. If the PGR does not respond, however, the procedure should not be halted. A panel may make this determination even after a written submission by a PGR. The procedures should continue regardless of whether a PGR responds.

Possible action following the submission of a PGR statement to, or interview with, the investigatory panel

4.9.

- a) If, on the balance of probabilities, misconduct is established, the PGR AMIP decides on a penalty using the table outlined in section 5, compiles a report and submits this to the SCA Secretary. The PGR will be informed of the outcome, with a copy of the full report, provided within 7 working days of the PGR AMIP decision having been made. If it has been decided that the examination or progression panel can still proceed, the full report and decision will be communicated to the examiners or members of the progression panel for them to implement.
- b) The PGR AMIP can request further information from the PGR and/or the department.
- c) The PGR AMIP can decide that, on the balance of probabilities, misconduct has not occurred, in which case the work is returned to the examiners for them to decide the outcome. The PGR AMIP may make a recommendation that the examiners should take into consideration the standard of scholarship.
- d) The panel should also report to the Graduate Chair in the PGR's department. The Dean of YGRS will determine whether or not any external funding body needs to be informed. A note should be made on the student record, if misconduct is established

5. PGR Academic Misconduct Penalties

- 5.1. If a PGR is found to have committed academic misconduct in a formal PGR assessment (i.e. submission for a formal review of progress or for an award), then the PGR AMIP will meet and come to a conclusion on the extent of the misconduct and the penalty to be applied. This will take place **prior** to consideration of the academic outcome by the examiners or progression panel. In very serious cases of misconduct, the assessment process will not be completed and the PGR's registration will be terminated. The following tables will be used by the PGR AMIP to determine the penalty.

5.2. **Penalty table**

Academic misconduct identified?	Penalty/Outcome PROGRESSION STAGE	Penalty/Outcome AWARD STAGE
No E.g. no case to answer or limited poor practice such as missing cited items from bibliography or incorrect citation	- No Penalty - Issues of poor practice might be reported to the progression panel	- No Penalty - Issues of poor practice might be reported to the examiners
Yes - Level 1 Significant but limited and remediable failure of academic integrity which does not undermine the integrity of the work as a whole (e.g. the PGR has made a genuine but flawed attempt to properly attribute written material or misrepresented genuine results in a manner which does not affect the validity of conclusions). Note that Level 1 penalties accumulate, including across stages of study. Therefore, a Level 1 offence at the Award Stage, following a Level 1 offence at the Progression Stage, will be deemed a Level 2 offence and lead to termination of the PGR's registration.	If first Level 1 offence: - Formal Warning issued to PGR and placed on file - PGR will FAIL this attempt, but a second attempt will be allowed (only if first attempt at progression) - Progression panel will meet, in any case, to allow for feedback If second Level 1 offence - becomes a Level 2 offence: PGR registration terminated - Does not proceed to progression panel	If first Level 1 offence: - Formal Warning issued to PGR and placed on file - Examination will proceed, but the outcome is limited to revise and resubmit, or award of a lower degree, with or without corrections (i.e. pass/pass with corrections outcomes are ruled out) If second Level 1 offence - becomes a Level 2 offence: PGR registration terminated - Does not proceed to examination
Yes - Level 2 Very significant failure of academic integrity which undermines the integrity of the work as a whole (e.g. inclusion of unattributed material is characteristic of the general approach, or some significant ideas or results central to the work uses unattributed material, or work presented is the result of fabrication or false authorship).	PGR registration terminated - Does not proceed to progression panel	PGR registration terminated - Does not proceed to examination

5.3. **Mitigation of penalties in light of compelling personal circumstances**

Once the PGR AMIP has decided that, on the balance of probabilities, academic misconduct has occurred, they will agree a penalty in accordance with the table above. If there are compelling personal circumstances that might, whilst not providing a defence for the academic misconduct offence, provide mitigation when considering the penalty/outcome, a Penalty Mitigation Panel will be convened (see 5.4 below) .

5.4. ***Consideration of mitigation of penalties in light of compelling personal circumstances***

To consider mitigation in cases of academic misconduct, a Penalty Mitigation Panel (PMP) will be convened (via email) to consider any changes to the penalty in such circumstances. This group is composed of the Chair of the PGR AMIP, the Chair of the SCA (or delegate) and a representative of Special Cases. This brings together the required expertise from SCA and Special Cases as well as specific knowledge of the case from the PGR AMIP Chair. The Deputy Director of Student Administration and Academic Affairs (or delegate) and the SCA Secretary will be in attendance.

The process will be:

- PGR AMIP makes a decision as normal on the penalty without consideration of any mitigating circumstances.
- If the PGR AMIP believes there are mitigating circumstances that might be sufficiently serious to pass the threshold, the SCA Secretary will pass the material on to the Penalty Mitigation Panel (PMP).
- The PMP will consider whether or not the penalty should be adjusted. *Note that the existence of mitigating circumstances will not necessarily yield a lesser penalty. In coming to their decision, the PGR PMP will consider all the circumstances, including the seriousness of the offence.*
- The SCA Secretary will inform the PGR AMIP and the PGR of the outcome.

Circumstances that may be considered

Exceptional circumstances, as defined by [B4 Policy on PGR extenuating circumstances](#), are not normally relevant to consideration of whether or not an offence has been committed. However, there are some limited circumstances in which they may be taken into account as a mitigation when considering the penalty. These are:

- i. The personal circumstances were of such severity that their impact on the PGR's judgement at the time that the academic misconduct offence occurred makes it appropriate, in the opinion of the panel, to impose a less serious penalty by reason of those circumstances.
- ii. A specific disability, or other chronic condition, which clearly impacted the PGR's judgement, or their capacity to comply with academic standards. This may be taken into account where, through no fault of the PGR, such a disability has not been accounted for through a reasonable adjustment or where that adjustment was not made in time for the assessment. If the specific disability, or its impact, has not been declared to the University, and hence is not addressed in a university Student Support Plan (SSP), a compelling, and evidenced, explanation for this will need to be provided.

In i. and ii. above, compelling evidence will need to be provided. That evidence must show that the PGR's circumstances were sufficiently significant that it would be, in the opinion of the panel, inappropriate to impose the penalty which would otherwise be indicated by the table in Section 5. The PGR will be encouraged to disclose any such mitigating circumstances, and their impact, as part of their statement at the point at which the PGR AMIP has decided that there is a case to answer.

6. Composition, responsibilities and procedures relating to PGR AMIPs

Departmental and unit responsibilities to provide staff to a PGR AMIP

- 6.1 Every department or other unit with a GSB should be prepared for the Graduate Chair or equivalent to serve on a PGR AMIP.

Minimum numbers needed for a PGR AMIP to be quorate

- 6.2 A PGR AMIP is quorate with three members for decision-making, including the Chair. At least two members of the PGR AMIP, including the Chair, are to be present if a PGR is interviewed.

How a PGR AMIP considers cases

- 6.3 The Chair circulates material relevant to the case(s) to the other members of the investigatory panel for their initial decisions. This can be done electronically at the discretion of the investigatory panel members so long as this is in accordance with the University's Data Protection policies (<https://www.york.ac.uk/records-management/dp/>). Where there is electronic sharing of documentation and email discussion the SCA Secretary must be included. The SCA Secretary will supply the administration for any meetings that are called to consider cases that are judged, after the initial consideration, to be serious. Meetings must be minuted and these minutes must be circulated amongst the investigating panel, including the SCA Secretary contact. The SCA Secretary is responsible for sending out letters to PGRs and for concluding the procedures, using standard template letters and forms.

Concluding the procedures

- 6.4 All decisions made by PGR AMIPs must be recorded by way of a written report. Minutes of meetings of the investigatory panels should be forwarded to SEE for retention against the PGR's student record. Investigatory panels can ask to see minutes of previous meetings as an aid to their decision-making and to support consistency in their judgements. Where the investigatory panel makes a decision regarding academic misconduct, a copy of the decision is also forwarded to the Graduate Chair and the PGR Administrator in the PGR's department/centre.

7. Appeals and case reviews

- 7.1. When a PGR is informed of the outcome of the PGR AMIP's consideration of their case they must be advised that they have a right to appeal using the forms and guidance at: <https://www.york.ac.uk/students/help/appeals/>
PGRs may **only** appeal against decisions of a PGR AMIP on the grounds that:
- The Academic Misconduct procedures were not followed properly;
 - The PGR AMIP reached a decision that was not reasonable in all the circumstances;
 - New evidence is available which could not reasonably have been brought to the attention of the PGR AMIP at the time of its investigation;
 - There was bias or reasonable perception of bias during the academic misconduct process;
 - The penalty imposed by the PGR AMIP was disproportionate or not permitted under the Academic Misconduct procedures.
- PGRs may **not** appeal against matters of academic judgement in relation to academic misconduct - see Section 3 for further information.

8. Where academic misconduct is alleged but not proven

- 8.1 If an internal examiner, external examiner or progression panel member initiates the academic misconduct procedures, and the PGR is subsequently found not to have committed academic misconduct by the investigatory panel, the examiner, supervisor or progression panel member should, where practicable, be replaced, unless both the PGR and the staff member agree otherwise.

9. Academic misconduct alleged after the examination has taken place

- 9.1 If academic misconduct is alleged or suspected after the examination has taken place, but before the qualification has been awarded or conferred, the award or conferment process shall be suspended pending the outcome of an investigation conducted in accordance with this procedure. If the investigatory panel decides that the academic misconduct warrants it, it may decide that a re-examination of the PGR is necessary. A re-examination under these circumstances shall be subject to the approval of SCA.
- 9.2 If academic misconduct is alleged or suspected after the degree has been conferred, an initial investigation will be conducted by an Investigating Committee appointed by Senate under Ordinance

Z. The Investigating Committee will normally be chaired by the Dean of YGRS, and include one or both of the original examiners, the current Head of Department or Dean of Faculty, and a senior academic from another department in the same Faculty. The Investigating Committee will, as far as possible, and with reference to Ordinance 7, follow the process for a PGR AMIP, with all deviations explained to the individual against which the allegation has been made, and the Committee's justification, together with its findings and recommendations, included in its report to Senate. A Senate Panel will then be formed and follow the Procedure to support University Ordinance 7: the Senate Panel for a PGR case (see below).

9.3 Procedure to support University Ordinance 7: the Senate Panel for a PGR case

- i. [In accordance with Ordinance 7, the Investigating Committee shall determine its own procedure in the light of the particular circumstances of the case and taking advice as necessary. The procedure adopted shall accord with the principles of natural justice. The procedure proposed in this report constitutes the next step in the process as regards the establishment of a panel of Senate]. Following an investigation under University Ordinance 7 by an Investigating Committee in a case of alleged academic misconduct by a PGR, the Committee's final report and recommendation will be submitted to a panel of Senate (the Panel) for consideration and a final decision.
- ii. The Panel will comprise the following members:
 - The Pro-Vice-Chancellor (Research) [Chair]
 - The Chair of the Standing Committee on Assessment (ex officio)
 - The Dean of the Faculty in which the case arose (ex officio)
 - Two academic members of the Senate (one Head of Department and one elected member, nominated by the Chair; neither to be from the Department in which the case arose)

In attendance:

 - The Academic Registrar
 - The University Secretary (as Secretary to Senate)

[Secretariat: Student Administration and Academic Affairs]
- iii. The individual alleged to have committed academic misconduct will be provided with a copy of the Investigating Committee's final report and asked to provide comment in writing to the Panel. The individual will also be given the opportunity to appear before the Panel in person or via teleconference, accompanied by another person of their choice if they wish; the accompanying person may speak on the individual's behalf with the permission of the Chair.
- iv. The Panel will meet as soon as possible after it has been formally constituted to consider the Investigating Committee's report and to agree a recommendation to Senate for further action. The Panel can also invite relevant specialist University officers to the meeting to provide additional information or advice as necessary.
- v. Following its consideration of the Investigating Committee's report, the possible further actions available to the Senate Panel for onwards recommendation to Senate are as follows:

Academic misconduct identified?	Penalty/Outcome
No E.g. no case to answer or limited poor practice such as missing cited items from bibliography or incorrect citation	● No Penalty
Yes - Level 1	If first Level 1 offence (i.e. no formal warning as per

Significant but limited and remediable failure of academic integrity which does not undermine the integrity of the work as a whole (e.g. the individual made a genuine but flawed attempt to properly attribute written material or misrepresented genuine results in a manner which does not affect the validity of conclusions).	this Policy has been issued to the individual previously in relation to the degree in question. Note that formal warnings applying to any stage of study towards the degree in question are relevant): • Individual will be deemed not to have met the award criteria and so the award will be withdrawn. • The individual will be permitted to submit a corrected version of the thesis for re-examination within twelve months (EngD/PhD/MPhil) or three months (MA/MSc (by research) of the date communicated in the formal notification of Senate's decision. In such cases, the Senate decision communicated to the individual will include a list of required changes; the changes to the thesis must not exceed those outlined. • At re-examination, possible outcomes will be limited as per the 'examination following revision and resubmission' section of the Policy on Research Degrees. • A Formal Warning will be issued to individual and placed on file If a second Level 1 offence - becomes a Level 2 offence (i.e a formal warning as per this Policy has been issued to the individual previously in relation to the degree in question. Note that formal warnings applying to any stage of study towards the degree in question are relevant): • Degree revoked as per Ordinance 7
Yes - Level 2 Very significant failure of academic integrity which undermines the integrity of the work as a whole (e.g. inclusion of unattributed material is characteristic of the general approach, or some significant ideas or results central to the work uses unattributed material, or work presented is the result of fabrication or false authorship).	• Degree revoked as per Ordinance 7

- vi. The Panel's report and final recommendation will be submitted to Senate for consideration at its next meeting, but only if this meeting falls within two weeks of the Panel's meeting. If the next scheduled Senate meeting is more than two weeks after the Panel's meeting, its recommendation will instead be submitted to the Senate via written resolution. Following Senate's determination of the outcome, the individual concerned will normally be informed within seven days.
- vii. In accordance with Ordinance 7, there is no right of appeal against the determination of Senate which is based on academic judgement and will be final. However, the individual concerned may pursue a complaint about process through the University's two-stage internal formal complaints procedure and, if they remain dissatisfied with the outcome of that complaint, may be able to submit a complaint externally to the OIAHE.

- viii. Following agreement by Senate of the action to be taken, the relevant offices of Student Administration and Academic Affairs will be informed in order that they may undertake the necessary completion of procedures correspondence with the individual concerned and also any corrections or amendments that might be required to the official student record. As regards reporting the outcome of the case to external third parties (e.g. a person who submitted an allegation of academic misconduct or the current employer of the individual concerned), the University will seek formal legal advice on this matter in the context of relevant data protection and other legislation.

Document control			
<i>Date</i>	<i>Change</i>	<i>Approved</i>	<i>Material impact on PGRs</i>
11/11/25	Changes to 5.3 and 5.4 to clarify how mitigating circumstances should be considered	By Chair's action 10/11/2025	No as this reflects custom and practice and ensures that mitigating circumstances are considered independently of the academic misconduct.

END